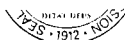




0000083912

**COMMISSIONERS**  
 MARC SPITZER - Chairman  
 JIM IRVIN  
 WILLIAM A. MUNDELL  
 JEFF HATCH-MILLER  
 MIKE GLEASON



## ARIZONA CORPORATION COMMISSION

ORIGINAL

06mc

JAMES G. JAYNE

Interim Executive Secretary

Direct Line: (602) 542-3935

Fax: (602) 542-0753

Email: jmundell@cc.state.az.us

2003 MAY 22

May 22, 2003

ARIZONA CORPORATION COMMISSION  
DOCUMENT CONTROL

The Honorable Terry Goddard  
 Arizona Attorney General  
 1275 West Washington  
 Phoenix, AZ 85007

Arizona Corporation Commission  
DOCKETED

MAY 22 2003

Re: Corporation Commission Rules on Slamming & Cramming;  
 Docket No. RT-00000J-99-0034; Decision No. 65452

DOCKETED BY *AK*

Dear Attorney General Goddard:

I appreciate your office's efforts in reviewing the Arizona Corporation Commission's Slamming and Cramming rules. As you know, your predecessor authorized the filing of the Pima County Superior Court lawsuit, State of Arizona vs. Qwest Communications International, Inc. et. al. C-20014779. That suit included multiple allegations of the imposition of unauthorized charges ("cramming") by Qwest affiliated entities on the bills of wireless customers. This alleged behavior and other practices which harm Arizona consumers would be actionable under the proposed Slamming and Cramming rules which were forwarded to the Attorney General's office late last year.

I believe the Corporation Commission rules have a solid legal foundation under the Arizona Constitution and our state statutes. However, if you disagree, the wireless service providers will have their "day in court" in the lawsuit now pending in the Maricopa County Superior Court. The courts should, and most likely will decide, the jurisdictional/statutory interpretation issue.

I know you share the Corporation Commission's deep concern for fair treatment of Arizona's telecommunications customers. I am proud of our work on behalf of consumers. I believe that our actions in tandem concerning slamming and cramming can send a clear message to the telecommunications industry (both wired and wireless) that we will not tolerate illegal and unethical behavior.

I would again request that you protect Arizona's consumers by immediately approving the Commission's Slamming and Cramming Rules.

Thank you for considering my concerns regarding this matter.

Sincerely,

*William A. Mundell*

William A. Mundell, Commissioner  
 Arizona Corporation Commission

cc: Chairman Marc Spitzer  
 Commissioner Jim Irvin  
 Commissioner Jeff Hatch-Miller  
 Commissioner Mike Gleason  
 Docket Control